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March 1, 2022

Honorable Vernon S. Broderick
United States District Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Room 415
New York, New York 10007

**Re: S.S., individually and on behalf of T.S-W. v. New York City Dept. of Educ.,
Index No. 20-cv-9394-VSB**

Dear Hon. Broderick:

I am counsel for the Plaintiff in this matter. Pursuant Rule 5.B.iii of Your Honor's Individual Rules & Practices in Civil Cases, Plaintiff respectfully requests—on Defendant's consent—leave to file under seal the record that was before the Office of State Review.

Due to the volume of the record and the size limitations on ECF, the undersigned will file under seal the proposed documents (pursuant to Rule 5.B.iii, separately from and contemporaneously with this public filing) as three exhibits. Exhibit A is Bates stamped R0001 – R0107; Exhibit B is Bates stamped R0108 – R0510; and Exhibit C is Bates stamped R0511 – R0638.

Thank you for your consideration of this matter.

Respectfully,

s/ Benjamin M. Kopp
Benjamin M. Kopp, Esq.

Pursuant to Rule 5.B.iii.b. of my Individual Rules & Practices in Civil Cases, the parties are directed to provide an explanation of the reasons for seeking to file the documents under seal on or before March 7, 2022. To be approved, any redaction or sealing of a court filing must be narrowly tailored to serve whatever purpose justifies the redaction or sealing and must be otherwise consistent with the presumption in favor of public access to judicial documents. See, e.g., *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119-20 (2d Cir. 2006). In general, the parties' consent or the fact that information is subject to a confidentiality agreement between litigants is not, by itself, a valid basis to overcome the presumption in favor of public access to judicial documents. See, e.g., *In re Gen. Motors LLC Ignition Switch Litig.*, No. 14-MD2543 (JMF), 2015 WL 4750774, at *4 (S.D.N.Y. Aug. 11, 2015).

SO ORDERED:

 03/02/22
HON. VERNON S. BRODERICK
UNITED STATES DISTRICT JUDGE